Remarks/Arguments

35 U.S.C. §103

Claims 1, 3-5, 7-8, 10-11, 13-15, 17-19, and 21, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fesler et al. (U.S. Patent No. 5,917,887), in view of Ganzer et al. (U.S. Patent No. 5,121,430), in view of Minagawa (U.S. Patent No. 7,218,976 B2), in view of Duruoz et al. (U.S. Patent No. 6,654,539 B1), in view of Burke et al. (U.S. Patent No. 4,636,791), hereinafter referred to as Fesler, Ganzer, Minagawa, Duruoz, and Burke.

It is respectfully asserted that none of Fesler, Ganzer, Minagawa, Duruoz, and Burke, alone or in combination, disclose:

"processing means for enabling an auxiliary information display function of said apparatus having an emergency alert function, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals,"

as described in currently amended claim 1. It is also respectfully argued that Examiner has used hindsight to arrive at the determination of obviousness, impermissibly using the claimed invention as an instruction manual or template to piece together the teachings of the seven cited references, and that the references fail to provide motivation for their combination.

Among the problems addressed by the present invention is the inability to alert a user of an impending emergency event when a device containing an emergency alert function is misconfigured. For instance, a user may not receive emergency alerts if the auxiliary information display function associated with a set top box containing emergency alert functionality is disabled.

To address these problems, the present application discloses an apparatus with tuning means for tuning signals including emergency alert signals associated with an emergency alert function and processing means for enabling an auxiliary information display function of said apparatus, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals. Thus, even if the user has disabled an auxiliary information display function, the system may reenable it to provide the emergency alert.

In contrast, Fesler teaches "an emergency alert communication system comprising a radio frequency receiver. The radio frequency receiver decodes incoming emergency alert signals and demodulates data header signals and emergency alert voice message signals of the emergency alert signals. Included in the data header signals are event and location code signals, which are followed by the emergency alert voice message signals. The demodulated data header signals in the form of digital data header signals are applied to a microcontroller. A telephone keypad of a telephone device is actuated to enter into the microcontroller event and location code signals. Should the event and location code signals demodulated by the receiver and applied to the microcontroller match the event and location code signals entered into the microcontroller by the telephone keypad, the microcontroller routes through an audio switching circuit the emergency alert voice message signals to a speaker, a recording device and a telephone handset..." (Fesler Abstract)

As admitted in the Office Action, Fesler fails "to teach processing means for enabling a disabled user setting for an auxiliary information display function of said apparatus responsive to said emergency alert signals." (Office Action, page 4) Thus, Fesler fails to disclose "processing means for enabling an auxiliary information display function of said apparatus having an emergency alert function, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals," as described in currently amended claim 1.

Ganzer teaches "a geographically specific emergency alert system includes a code generator unit in which geographic areas to be alerted and types of severity of alerts are selected and code strings generated to represent the affected areas and alert types selected. The code strings are broadcast by modulating the audio carrier of a television signal and received on receiver units positioned in areas within the broadcast market of a television station providing the alerting service. Location codes or entered into the receiver units by the users according to the areas in which the receiver units are used. When an alert is broadcast, each receiver unit decodes a location code string in the signal. If it matches that set on the receiver, an alert code string is decoded to activate a alarm devices connected to the receiver, such as an audible alarm generator, LED, etc., in accordance with the type or severity of alert that was broadcast." (Ganzer Abstract)

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As admitted in the Office Action, Ganzer also fails "to teach processing means for enabling a disabled user setting for an auxiliary information display function of said apparatus responsive to said emergency alert signals." (Office Action, page 4)   Therefore, Ganzer, like Fesler, fails to disclose "processing means for enabling an auxiliary information display function of said apparatus having an emergency alert function, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals," as described in currently amended claim 1.

Minagawa teaches "An identifier which indicates a reason why a direct change is disabled upon application of a specific conflict resolution rule can be described in a conflict resolution rule description file (301). In case of a process executed when a UI is not displayed, a status variable list (304) that holds setup values and status values is accessed in place of an internal structure (305) to easily check if each setup item is enabled/disabled. Upon matching overall data, a start point list which lists setup items in a given priority order is loaded to execute conflict resolution in turn, thus resolving conflicts among setup items." (Minagawa Abstract)

As admitted in the Office Action, Minagawa also fails "to teach processing means for enabling a disabled user setting for an auxiliary information display function of said apparatus responsive to said emergency alert signals." (Office Action, page 4) While Minagawa describes enabling and disabling printing setup items based on identification of conflicts between those items, it makes no mention of enabling a display function, which was previously disabled by a user, in response to an emergency alert signal, as is described in the present claims. Therefore, Minagawa, like Fesler and Ganzer, fails to disclose "processing means for enabling an auxiliary information display function of said apparatus having an emergency alert function, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals," as described in previously amended claim 1.   Furthermore, Minagawa is clearly directed at the problem of setup conflicts in a printing system. Thus, there would be no motivation to combine its teachings with those in emergency alert art.

Duruoz teaches a "single-chip application specific integrated circuit provides autonomous management of playback of digital video and audio. The chip includes a digital video decoder and output system, and a central processing unit controlling said digital video

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decoder and output system. The central processing unit receives commands to establish a current playback state for management of playback of digital video and audio by said digital video decoder and output system, and responds to a video field synchronization signal and a current playback state, without external instruction, to determine whether to display digital video, whether to decode digital video for display, whether to repeat display of previously decoded digital video, and whether to skip over digital video prior to decoding digital video for output. By delivering commands to the central processing unit, the application specific integrated circuit can be caused to transition between playback states to provide desired playback..." (Duruoz Abstract)

As admitted in the Office Action, Duruoz also fails "to teach processing means for enabling a disabled user setting for an auxiliary information display function of said apparatus responsive to said emergency alert signals." (Office Action, page 4) Duruoz makes no mention of enabling a display function which was previously disabled by a user, or more specifically, re-enabling a previously user-disabled display function in response to an emergency alert signal. Duruoz also is not directed at the problems of emergency alert, or the difficulty of setup of emergency alert systems. Instead, Duruoz is directed at the problem of personal computers not being suitable for consumer video reception. (Duruoz, column 1, lines 47-52). Therefore, Duruoz, like Fesler, Ganzer, and Minagawa, fails to disclose "processing means for enabling an auxiliary information display function of said apparatus having an emergency alert function, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals," as described in previously amended claim 1.

Burke teaches "a data signalling system for transmitting signals between at least one primary station and a plurality of secondary stations. The system is well adapted for use in multiple unit radio communications systems capable of noise and data communications. A register model is utilized which permits a highly flexible signalling system compatable with a wide range of communications networks. Data transfer is accomplished using fixed length data packets which are error correction encoded and transmitted utilizing PSK modulation." (Burke Abstract)

In the passage cited by Examiner, Burke discloses that the "same emergency monitor data packet that is used to enable the transmitter of a mobile unit in the priority

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alert mode is used to disable all other mobile transmitters in the system equipped with the mobile unit control systems." (Burke, column 18, lines 2-7) Thus, enablement of a transmitter, not an auxiliary display device, is described. Burke also fails to disclose that the enabled display function was previously disabled through the setup process of an apparatus with an emergency alert function. Therefore, Burke, like Duruoz, Fesler and Ganzer, fails to disclose "processing means for enabling an auxiliary information display function of said apparatus having an emergency alert function, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals," as described in currently amended claim 1.

In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Fesler, Ganzer, Minagawa, Duruoz, or Burke, alone or in combination, that makes the present invention as claimed in currently amended claim 1 unpatentable. It is further submitted that independent claims 8 and 15 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-7, 9-14, and 16-21 are dependent from allowable independent claim 1, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Claims 2, 12 and 16, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fesler et al. (U.S. Patent No. 5,917,887), in view of Ganzer et al. (U.S. Patent No. 5,121,430), in view of Minagawa (U.S. Patent No. 7,218,976 B2), in view of Duruoz et al. (U.S. Patent No. 6,654,539 B1), in view of Burke et al. (U.S. Patent No. 4,636,791), in view of Park (U.S. 6,208,383 B1), hereinafter referred to as Fesler, Ganzer, Minagawa, Duruoz, Burke, and Park.

Claims 6, 9, and 20, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fesler et al. (U.S. Patent No. 5,917,887), in view of Ganzer et al. (U.S. Patent No. 5, 121,430), in view of Minagawa (U.S. Patent No. 7,218,976 B2), in view of Duruoz et al.

(U.S. Patent No. 6,654,539 B1), in view of Burke et al. (U.S. Patent No. 4,636,791), in view of Kennedy (U.S. Patent No. 5,369,432), hereinafter referred to as Fesler, Ganzer, Minagawa, Duruoz, Burke, and Kennedy.

Since claims 2, 12, 16, 6, 9, and 20 are dependent from independent claims 1, 8, and 15, which should be allowable for the reasons described above, it is respectfully submitted that they too should be allowable for at least the same reasons.

Furthermore, Park teaches "a soft scrolling method and apparatus of closed-caption words whereby caption information which is encoded in a horizontal line of each field of a television broadcasting signal which does not affect the broadcasting signal is displayed on a display screen of a receiver, as being scrolled line by line by selection of a viewer. According to the method, whether or not the present mode is a soft scroll mode is discriminated, and if so, character data is read out from a display memory, in which decoded caption information is stored, for a line or several lines at predetermined intervals into which a one-row scrolling time is equally divided. The readout character data is converted into a video signal to be displayed on the display screen." (Park Abstract) Park does not disclose, nor does the Office Action assert that is discloses "processing means for enabling an auxiliary information display function of said apparatus having an emergency alert function, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals," as described in currently amended claim 1.

Kennedy also is not directed at the problems of emergency alert, or the difficulty of setup of emergency alert systems. Instead, Kennedy is directed at the problem of color calibration of LCD panels. Kennedy discloses a "presentation system uses a computer to store and transmit electronic images to a liquid crystal display (LCD) panel which rests on an overhead projector. The LCD panel includes a calibration circuit designed to correct discrepancies in the saturation levels of the three primary colors. The calibration circuit determines the digital values in a signal corresponding to a test pattern of maximum intensity for all three colors, and compares these values to predetermined theoretical values. The differences between these values are recorded as calibration constants and are used to correct the image signals transmitted from the computer. A remote control unit may be used to provide a stimulus to both the computer (to generate the test pattern) and the LCD panel (to execute the calibration process). (Kennedy Abstract) Kennedy also makes no mention

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of enabling a display function which was previously disabled by a user, or more specifically, re-enabling a previously user-disabled display function in response to an emergency alert signal. Therefore, Kennedy, like Fesler, Ganzer, Minagawa, Duruoz, Burke and Park, fails to disclose "processing means for enabling an auxiliary information display function of said apparatus having an emergency alert function, which had previously been disabled by a user through a setup process, responsive to said emergency alert signals," as described in previously amended claim 1.

In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Fesler, Ganzer, Minagawa, Duruoz, Burke, Park or Kennedy, alone or in combination, that makes the present invention as claimed in claims 2, 12, 16, 6, 9, and 20 unpatentable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6804, so that a mutually convenient date and time for a telephonic interview may be scheduled.

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No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

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